

MEMBER SERVICES

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TOMORROW'S FORECAST

* The House will reconvene for its 27th Legislative Day on Monday, March 6, at 1:00 pm.

* 3 bills are expected to be debated on the floor.

GEORGIA HOUSE OF REPRESENTATIVES

DAILY REPORT

THURSDAY, MARCH 2, 2006

LEGISLATIVE DAY# 26

TODAY ON THE FLOOR

Speaker of the House, Rep. Glenn Richardson, gavelled the House into session today, at 10:00 am, for the 26th Legislative Day of the 2nd Session of the 148th General Assembly.

CONFERENCE COMMITTEE REPORT

HB0246 Prescription drug orders; electronic transmission; amend provisions

- Regarding the suspension, revocation, or refusal to grant licenses by the State Board of Pharmacy: A pharmacy which is operated by a health maintenance organization (and licensed under Code Section 26-4-110) must abide by the certain provisions relating to selling, distributing, and delivering prescription drugs by mail. These provisions apply to an enrollee in a health benefits plan of a closed panel health maintenance organization, or its affiliates.

- **Authored By:** Rep. David Graves

- **House Committee:** Regulated Industries

- **Yea:** 146 **Nay:** 0

- **Adoption of this Conference Committee Report represents Final Passage of this Bill.**

MOTION TO AGREE/DISAGREE

HB1321 Johns Creek, City of; incorporate

- This bill would incorporate the City of Johns Creek in Fulton County, Georgia

- **Authored By:** Rep. Mark Burkhalter

- **House Committee:** Governmental Affairs

- **Yea:** 153 **Nay:** 6

- **Motion to Agree to the Senate Substitute represents Final Passage of this Bill**

DEBATE CALENDAR

HB0801 Physical therapists; licenses; eliminate certain requirement

- HB 801 would allow patients direct access to a physical therapist, without receiving a referral from a medical doctor, in the following instances:

1. Physical therapy services are provided for the purpose of fitness, wellness, or prevention that is not related to the treatment of an injury or ailment.

2. After a patient has received an initial medical diagnosis and been referred to physical therapy treatment, the patient may resume physical therapy if needed within 60 days of discharge. The physical therapist is required to notify the original doctor within five business days.

Furthermore, the physical therapist must hold a master or doctorate degree from a professional, accredited physical therapy program, or have completed at least two years of practical experience as a licensed physical therapist. Further under HB 801, the therapist must refer a patient to a doctor if the patient shows no substantial progress after 90 days of physical therapy treatment. The physical therapist is also required to refer the patient to a doctor if, at any time, the patient has symptoms or conditions beyond the scope of physical therapy.

- **Authored By:** Rep. Tom McCall
- **Special House Rules Applied:** Open
- **House Committee:** Regulated Industries
- **Yea:** 149 **Nay:** 0

HB0847 Juvenile proceedings; emancipation of minors by petition

- Creates a new Article to Title 15, Chapter 11 which provides that a minor be emancipated from their parents when they are validly married, when they reach 18 years of age, when on active duty in the military, or by court order when a petition is filed by a minor in juvenile court. The burden is placed on the minor to prove that it is in his or her best interest that he or she be emancipated and that he or she is financially secure, and has proof of housing. The bill creates procedural requirements for emancipation.
- **Authored By:** Rep. Mark Butler
- **Special House Rules Applied:** Open
- **House Committee:** Judiciary
- **Yea:** 163 **Nay:** 0

HB1014 Sales and use tax; government contractor; automatic repeal date; extend

- This bill provides for an extension of the sales tax exemption for overhead materials of a government contractor from January 1, 2007 to January 1, 2009.
- **Authored By:** Rep. Steve Tumlin
- **Special House Rules Applied:** Structured
- **House Committee:** Ways & Means
- **Yea:** 164 **Nay:** 0

HB1018 Sales and use tax; biomass material; certain exemptions; provide

- This bill provides for a sales tax exemption for biomass material utilized in the production of energy which is subsequently sold. 'Biomass material' is defined as organic matter, excluding fossil fuels. An itemized list of qualifying materials is enumerated within the bill.
- **Authored By:** Rep. Jeff Lewis
- **Special House Rules Applied:** Structured
- **House Committee:** Ways & Means
- **Yea:** 153 **Nay:** 0

HB1105 Contracting business; documentation of full-time engagement; provisions

- Creates new code section 43-14-8(h) and provides that no business can engage in conditioned air contracting unless such business is performing such services on a full-time basis and have a valid license. Any person who violates this provision can be fined up to \$1,000.00 for each occurrence and can be denied a license for 5 years. Creates 44-14-15 which provides Agents of a corporation may provide such services so long as the principals, officers, members, or partners of such company are licensed and the company has received a certificate of authorization by the Board. Provisions for obtaining such certificate are set out in this bill.
- **Authored By:** Rep. Ron Dodson
- **Special House Rules Applied:** Open
- **House Committee:** Judiciary
- **Yea:** 159 **Nay:** 0

HB1162 Department of Community Affairs; Section 8 housing fraud; require investigation

- Creates new code section 50-8-3.1 which allows the Department of Community Affairs to investigate abuse of federal Section 8 Housing Choice Voucher Program and refer prosecution cases to District Attorneys in the counties for which the abuse took place. Further allows the Department of Community Affairs to settle cases that are not prosecuted as well as seek civil action.
- **Authored By:** Rep. Barry Fleming
- **Special House Rules Applied:** Modified-Open
- **House Committee:** Judiciary Non-Civil
- **Yea:** 130 **Nay:** 24

HB1187 Appraisal; county staff; change certain provisions

- This bill creates an additional county classification for appraisal staff, Class IX, for counties having 275,000 or more parcels of real property. Class IX allows for the same amount of staff as Class VIII which is 2 Appraisers IV, 8 Appraisers III, 5 Appraisers II, and 5 Appraisers I. This bill further expands on how such staff should be hired. Current law allows appraisal staff for the other 8 classifications to be hired by the board of tax assessors pending adoption of an ordinance or resolution. The Class IX provision allows such staff members under this classification to be hired without ordinance or resolution by the county manager. If the members of the board of tax assessors fail to comply with the Class IX employment provision, such action shall be construed as grounds for removal from the board.

- **Authored By:** Rep. Wendell Willard
- **Special House Rules Applied:** Structured
- **House Committee:** Ways & Means
- **Yea:** 124 **Nay:** 44

HB1253 Drivers' licenses; certain provisions; clarify

- This bill provides for reinstatement of a minor's license upon proof of graduation from high school, provides that social security numbers shall not be used on driver's licenses, provides for a suspension for violation of restrictions on a driver's license, adds a license suspension for failure to appear in a federal court in this state, and clarifies the habitual violator permit eligibility provisions. Further, this bill provides for confidentiality of medical reports used for medical revocation of a driver's license, changes the times relating to restoring full driving privileges from a limited driving permit, and clarifies that trafficking is grounds for a driver's license suspension.
- **Authored By:** Rep. Tom Rice
- **Special House Rules Applied:** Open
- **House Committee:** Motor Vehicles
- **Yea:** 157 **Nay:** 0

HB1257 Insurance; certain change of address filings; exempt from fee

- This bill permits the Commissioner of Insurance to exempt certain change of address filings by agents, subagents, counselors, and adjusters from a fee. Further, this bill provides for certain qualifications for a counselor's license and provides for the maintenance by the Commissioner of Insurance of the address of the place of business of agents, subagents, counselors, and adjusters.
- **Authored By:** Rep. Tom Knox
- **Special House Rules Applied:** Open
- **House Committee:** Insurance
- **Yea:** 167 **Nay:** 0

HB1275 Commercial driver's license; violation; provide for revocation

- Creates code section 16-8-8 which provides for revocation of a defendant's commercial driver's license when they are convicted of theft with such a vehicle. Is an addition to other penalties assessed. The bill also amends Code Section 40-5-151 to reflect the changes in 16-8-8.
- **Authored By:** Rep. Vance Smith
- **Special House Rules Applied:** Open
- **House Committee:** Judiciary Non-Civil
- **Yea:** 143 **Nay:** 13

HB1288 Municipal court clerks; required training; provide

- Bill requires new municipal court clerks to obtain 16 hours of training within the first year of being in said position. Further requires all municipal court clerks to obtain 8 hours of training annually. Said training will be prescribed by the Georgia Municipal Courts Training Council.
- **Authored By:** Rep. David Ralston
- **Special House Rules Applied:** Open
- **House Committee:** Judiciary Non-Civil
- **Yea:** 153 **Nay:** 0

HB1308 Nursing homes; fees; change certain provisions

- House Bill 1308 amends Chapter 8 of Title 31 of the Official Code of Georgia. This bill relates to the care and protection of patients who are indigent and elderly. This bill will change particular provisions that relate to the maximum amount of aggregate nursing home provider fees which are to be paid and to change the provision which relates to assessment, calculation, and payment of quality assessment fees on care management organizations.
- **Authored By:** Rep. Jeff Brown
- **Special House Rules Applied:** Open
- **House Committee:** Human Relations & Aging
- **Amendment:** AM 33 0428 - Adopted
- **Yea:** 163 **Nay:** 0

HB1310 Revenue and taxation; comprehensive revision of provisions; provide

- The bill is comprised of the annual federal update as well as several provisions regarding the Department of Revenue which are as follows:
Section 1: This section updates and conforms the Georgia Revenue Code to the IRS Code.
Section 2: This section ensures that tax information obtained by third parties contracting with the Department of Revenue will fall under confidentiality requirements.
Section 3: This section reduces the requirement for electronic funds transfer from \$10,000 to \$5,000 for sales tax, use tax,

withholding tax, and motor fuel distributor tax.

Section 4: This section allows the Commissioner to provide extensions for filing returns and making payments of tax in a manner similar to the IRS in the event of a presidential declared disaster, or a terrorist or military action.

Section 5: This section allows dealers, which accept returned items past 90 days from the date of the original purchase, to deduct the amount of the return on their current sales and use tax return instead of filing an amended return for a credit.

- **Authored By:** Rep. Larry O'Neal
- **Special House Rules Applied:** Structured
- **House Committee:** Ways & Means
- **Yea:** 167 **Nay:** 0

HB1319 Georgia Environmental Facilities Authority; change certain provisions

- This bill changes certain provisions relating to definitions relative to the Georgia Environmental Facilities Authority, as well as certain provisions relating to purpose, powers, and duties of the authority. HB 1319 also changes certain provisions relating to loans to local governments and repayment thereof. Further, this bill also changes certain provisions relating to review of contracts and agreements with local governments by the EPD of the DNR.

- **Authored By:** Rep. Lynn Smith
- **Special House Rules Applied:** Structured
- **House Committee:** Governmental Affairs
- **Yea:** 157 **Nay:** 0

HB1326 State-wide Reserve Ratio; contribution rates; change certain provisions

- Extends the suspension provisions for overall increase in rates to December 31, 2006 when the State-wide Reserve Ratio is less than 1.00. Provides for suspension provisions for overall increase in rates when the State-wide Reserve Ratio is less than 1.25 percent for the period from January 1, 2007 to December 31, 2007. Allows Commissioner of labor to have the option of raising overall rates by 35 percent for Employers who are subject to this suspension during this time period.

- **Authored By:** Rep. Mike Coan
- **Special House Rules Applied:** Open
- **House Committee:** Industrial Relations
- **Yea:** 164 **Nay:** 0

HB1358 Quality Basic Education Act; class size requirements; change provisions

- This bill provides for the setting of maximum class sizes in Kindergarten through grade 12 in science, social studies, language arts, and mathematics, as well as other programs. It also establishes maximum system averages and provisions for hardships.

- **Authored By:** Rep. Brooks Coleman
- **Special House Rules Applied:** Open
- **House Committee:** Education
- **Yea:** 164 **Nay:** 4

SUPPLEMENTAL CALENDAR

HB0935 Advanced practice registered nurse; controlled substances; provisions

- Amends 16-13-21 to allow advanced practice registered nurse to be considered a Practitioner. Creates a new definition of "advanced practice registered nurse." Provides that physicians may delegate certain medical acts to allow APRNs to issue prescription drug orders and provide professional samples and order certain studies and devices. This bill provides for the conditions of a protocol agreement between a nurse and a physician.

- **Authored By:** Rep. Sue Burmeister
- **Special House Rules Applied:** Modified-Structured
- **House Committee:** Judiciary Non-Civil
- **Yea:** 146 **Nay:** 6

SB0468 Quality Basic Education Act; establishment of grant program for High Performance Principals; rules/regulations

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- **Authored By:** Sen. Dan Moody
- **Special House Rules Applied:** Open
- **House Committee:** Education
- **Yea:** 158 **Nay:** 0

** The House will reconvene Monday, March 6 at 1:00 pm for its 27th Legislative Day of the 2nd Regular Session of the 148th General Assembly.*

COMMITTEE ON RULES

The Committee on Rules, today, has fixed the calendar for the 27th Legislative Day, Monday, March 6, as enumerated below, and can be called at the pleasure of the Speaker of the House.

DEBATE CALENDAR

HB0988 War of 1812 Bicentennial Commission; create

- House Bill 988 amends chapter 12 of Title 50 relating to state government commissions and other agencies to establish the War of 1812 Bicentennial Commission. This bill will create the War of 1812 Commemoration Commission.
- Authored By: Rep. Cecily Hill
- Special House Rules Applied: Open
- House Committee: Special Rules

HB1012 General obligation bonds; requirements; provisions

- This bill requires that revenue and general obligation bonds, issued by a county, municipality or local authority, in an amount of \$5 million or more, shall be subject to an ongoing performance audit or review. The bill further provides that the entity expending the bond proceeds shall provide for a continuing performance audit or review of the expenditures of such funds. The county, municipality, or local authority expending these proceeds must contract with a C.P.A. or an outside auditor, consultant or other provider that is accredited or certified in the field of performance audits or review, selected through a public request for proposals process, to perform a continuing audit or review of such expenditures. The cost of the audit or review shall be paid from the proceeds of the bonds, unless a special waiver is advertised, in bold print, which specifically states that no such audit or review shall be conducted. Such contracts shall include a goal of ensuring that the proceeds were spent efficiently and economically so that the maximum benefit of the bonds were recognized; provide for the issuance of periodic public reports; and provide for the issuance of periodic public recommendations.
- Authored By: Rep. Fran Millar
- Special House Rules Applied: Structured
- House Committee: Ways & Means

HB1470 Milton, City of; provide charter

- This bill incorporates the city of Milton in Fulton County, Georgia.
- Authored By: Rep. Jan Jones
- Special House Rules Applied: Open
- House Committee: Governmental Affairs

**** The Rules Committee will next meet on Monday, March 6 at 11:00 am to set the Debate Calendar for the 28th Legislative Day.***

COMMITTEE ACTION REPORT

GAME, FISH & PARKS

HB0695 Disabled Assistants Act; authorize permits for certain wild animals

- This bill provides that certain disabled persons shall be issued a wild animal permit if a person has a disability which interferes with that person's ability to perform one or more routine daily living activities. The applicant must establish to the satisfaction of the Department prior to issuance of such permit: that the animal for which the permit is to be issued has been or will be trained to assist the person in performing his or her daily living activities; that the animal will be humanely treated and will not present a health or safety threat; that the organization furnishing the animal to the applicant is reputable, lawful, and does not have any history of violating this chapter; and must provide to the department documentation and data sufficient to establish that the organization has a proven record, over at least a ten-year period, of furnishing animals which provide meaningful assistance to persons with
- Authored By: Rep. Doug Holt

- **Committee Action:** Do Pass

HB1460 Shrimp and shrimping; lawful methods of; size of cast nets; change provisions

Section 1-Newly defines, 'Bait shrimp cast net' to mean a cast net with 3/8" mesh size and radius not greater than 8 feet.

Section 2- Modifies definition of 'Commercial cast net,' to remove the maximum radius requirement. Under this definition, net size radius is unlimited; the minimum mesh size remains at 5/8" inch bar mesh. Strikes and reserves the definition of 'recreational bait shrimp cast net' Modifies the definition of 'recreational bait shrimp cast netting,' to take shrimp for non-commercial purposes as bait by means of a bait shrimp cast net. Modifies the definition of 'recreational food shrimp cast net,' to remove the maximum radius size; net radius size would now be unlimited; mesh size remains at 1/2" inch minimum bar mesh.

Section 3-Repeals 27-4-13 relating to size and construction of cast nets.

Section 4-Adds new subsection (h) to 27-4-112, to make it unlawful to engage in the taking of shrimp for commercial purposes at night as defined in paragraph (45) of Code Section 27-1-2.

Section 5-Deletes reference to code section 27-4-13 at subsection (10) of 27-3-113.

Section 6-Clarifies 27-4-118(b) by stating that the address for the purposes of reporting shall be the Coastal Resource Division headquarters.

Section 7-Modifies 27-3-132(c) to change the season for recreational cast netters; the new season dates (at the discretion of the DNR Commissioner) could be any time between May 15 and the last day of November. The language also allows the commissioner to set the beach seine non-commercial food shrimp fishery any time from May 15 through the last day of February.

Section 8-Raises the person or group food shrimp commercial castnet possession limit to 150 quarts heads on (was 60 qts. heads on) or 95 quarts of shrimp tails (was 38 quarts), provided, however, that beginning December 1 until the close of each food shrimp season, possession at any time shall be limited to 75 quarts of shrimp with heads or 48 quarts of shrimp tails in any day taken by such commercial cast net or a combination of a commercial cast net and a seine.

Section 9-Strikes language relating to lawful trawling nets and penalty provisions that were associated therewith. Further, strikes language relating to opening and closing waters

Section 10-Clarifies 27-4-136 by stating that the address for the purposes of reporting shall be the Coastal Resource Division headquarters.

Section 11-Strikes reference to repealed code section 27-4-13.

Section 12-Strikes language in 27-4-140 relating to possession of a commercial cast net and adds language relating to the possession of shrimp in excess of the noncommercial food shrimp possession limit allowed pursuant to Code Section 27-4-132.1

Section 13-Simplifies language making it unlawful to take shrimp at night. Adds language clarifying opening of salt waters of the state.

Section 14-Changes 27-4-171 relating to bait shrimp dealers to tidy language relating to the use of a net other than a bait shrimp cast net for the purposes of taking bait shrimp, which is prohibited.

Section 15-Adds flexibility to the department for issuing any unissued commercial food shrimp cast net licenses after a lottery has been conducted.

Section 16-Conflict repealer

- **Authored By:** Rep. Cecily Hill

- **Committee Action:** Do Pass

HB1488 Hunting; unlawful use of substances and equipment; change provisions

- This bill would make it unlawful to use electronically imitated or amplified sounds or calls to hunt wild animals or game animals. Further, this bill would make it unlawful for any person, firm, partnership, or association to engage to engage in 'computer assisted remote hunting'. This is also sometimes known as 'internet hunting' or 'web hunting'. The bill adds a penalty provision where anyone violating the provisions of this subsection shall be guilty of a misdemeanor of a high and aggravated nature and upon conviction thereof shall be punished by a fine of not less than \$1,000.00 and not more than \$5,000.00, imprisonment for a term not to exceed 12 months, or both such fine and imprisonment. The bill further declares that equipment used for such purposes to be contraband, excluding motor vehicles, and shall be forfeited to the State. The bill further provides for the suspension of hunting and fishing privileges for three years if convicted of violating this subsection.

- **Authored By:** Rep. Jon Burns

- **Committee Action:** Do Pass

HB1489 Cervids; importation; prohibit

- This bill adds a new code section 27-5-2.1. Bill defines the following terms:(1) 'Cervid' means a member of the family cervidae.(2) 'Chronic wasting disease' means a fatal disease that belongs to a group of diseases known as transmissible spongiform encephalopathies and that affects the brains of cervids.(3) 'Clean' means having no meat matter or tissue attached

to the carcass part.(4) 'Importation' means the transportation of a cervid, cervid carcass, or carcass part into this state.(5) 'Whole' means the entire carcass, whether eviscerated or not, prior to the carcass being processed. The bill would make it unlawful for any person, firm, partnership, or association to import, bring, or cause to be imported or brought into this state any live cervid. The bill provides for penalties: anyone who violates the foregoing shall be guilty of a misdemeanor of a high and aggravated nature and upon conviction shall be punished by a fine of not less than \$1,500.00 nor more than \$5,000.00, imprisonment for a period not exceeding 12 months, or both such fine and imprisonment. The bill further provides for the suspension of hunting and fishing privileges of any person convicted of violating the foregoing and such privileges shall be suspended for not less than three years from the date of conviction. The bill would make it unlawful for any person to import or possess a whole cervid carcass or cervid carcass part from any state having a documented case of a cervid infected with chronic wasting disease, except for any one or more of the following cervid carcass parts:(1) Boned-out meat and commercially processed cuts of meat;(2) Portions of meat with no part of the spinal column or head attached;(3) Hides with no heads attached;(4) Clean skull plates with antlers attached;(5) Clean antlers;(6) Finished taxidermy heads; and(7) Clean upper canine teeth (buglers, whistlers, ivories).

- **Authored By:** Rep. Jon Burns

- **Committee Action:** Do Pass

HEALTH & HUMAN SERVICES

HB0873 Physician's assistants; public health or state of emergency; render assistance

- This bill grants expanded authority to licensed physician's assistants to provide medical care for the duration of a state of emergency or public health crisis.

- **Authored By:** Rep. Len Walker

- **Committee Action:** Do Pass by Committee Substitute

HB0907 Wholesale Licensure and Prescription Medication Integrity Act; enact

- This bill introduces a rigorous and comprehensive licensing and inspection regime concerning wholesale distributors of prescription drugs. It institutes a \$100,000 bond that must be paid by applicants to cover the cost of the State Board of Pharmacy in administering such a regime. Licenses to operate are only issued after an exhaustive background check of the applicant and physical inspection of the facility. Also, the bill seeks to establish an iron-clad paper trail for all prescription drugs from manufacturer to wholesaler to pharmacist to patient, so as to ensure the pure quality of drugs consumed, as well as their legality. The bill as well mandates the creation of electronic pedigrees by 2007 which will modernize the tracking process for regulating prescription drugs in Georgia. Finally, the bill delineates specific illegal activities concerning drugs and sets fines and penalties.

- **Authored By:** Rep. Stacey Reece

- **Committee Action:** Do Pass by Committee Substitute

HB1008 Georgia Hospice Law"; palliative care; amend provisions

- This bill would allow health facilities to alleviate pain and symptoms without attempting to cure terminally ill patients with longer than six months to live.

- **Authored By:** Rep. Buddy Carter

- **Committee Action:** Do Pass by Committee Substitute

HB1191 Prescription drugs; practitioner's name below signature; require

- Requires the name of the practitioner to be printed below a prescription label.

- **Authored By:** Rep. Tommy Benton

- **Committee Action:** Do Pass by Committee Substitute

HR1341 Joint Study Committee on Direct Entry Midwifery; create

- This bill would create the Joint Study Committee on Direct Entry Midwifery, to study infant mortality in Georgia.

- **Authored By:** Rep. Stephanie Benfield

- **Committee Action:** Do Pass by Committee Substitute

HUMAN RELATIONS & AGING

HB1451 Revising certain definitions relating to the Long-term Care partnership Program

- In accordance with Section 6021 of the Federal Deficit Reduction Act of 2005 the Georgia Long-term Care Partnership Program is established and this legislation brings state law in line with federal regulations.

- **Authored By:** Rep. Donna Sheldon

- **Committee Action:** Do Pass by Committee Substitute

JUDICIARY - CIVIL

HB0931 Ad valorem taxes; transfer of tax executions; amend certain provisions

- Relates to revenue, so as to change the penalty for failure to pay ad valorem taxes; to provide for definitions; to provide for the transfer of tax executions; to provide for certain notices to taxpayers; to provide for the payment of such executions; to provide for certain procedures relative to such tax executions; to provide for the collection of such executions; to provide for certain charges; to prohibit the purchase of tax executions by certain persons; to provide for the manner of paying tax executions held by absentee transferees; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

- **Authored By:** Rep. Wendell Willard

- **Committee Action:** Do Pass by Committee Substitute

JUDICIARY NON-CIVIL

HB1167 Tattoo; misdemeanor; eyesocket; repeal

- Repeals section 16-12-5 which provided that tattooing near the eye was a misdemeanor, unless performed by a licensed physician.

- **Authored By:** Rep. Mark Butler

- **Committee Action:** Do Pass

HB1193 Vehicles; false or secret compartments; prohibit owning or operating

•Defines "false or secret compartment"

•To knowingly use a vehicle containing a false or secret compartment or to install a compartment into a vehicle is punishable by a

fine of not more than \$10,000.00 or up to 2 years in prison or both

•Allows law enforcement to seize both the vehicle and the contents of the compartment when discovered

- **Authored By:** Rep. David Knight

- **Committee Action:** Do Pass by Committee Substitute

HB1406 Certain vehicles; penalties for passing; change provisions

Amends 40-6-16 to allow that fines for passing emergency or towing vehicles would be up to \$500.00. Current law provides that the fine is \$500.00.

- **Authored By:** Rep. Stephanie Benfield

- **Committee Action:** Do Pass

SB0398 Criminal Proceedings; plea of insanity; procedures of psychiatric evaluations

•Provides that custody of a defendant who is found guilty but mentally ill at the time of the crime will be placed only in the custody of the Department of Corrections, who will have the responsibility of evaluating and treating said defendant. Previously, custody could be placed with either the Department of Corrections or Department of Human Resources.

•Further provides that the Department of Corrections can refer said defendant to Department of Human Resources for

treatment, if they so desire.

•For any examination performed by the Department of Human Resources, a report, along with other documents, must be received by the Department of Corrections within 10 business days.

- **Authored By:** Sen. Seth Harp

- **Committee Action:** Do Pass

NATURAL RESOURCES & ENVIRONMENT

HR1551 Joint Comprehensive Water Desalination Study Committee; create

- This bill calls for the creation of a study committee to study desalination of salt water along coastal Georgia

- **Authored By:** Rep. Ron Stephens

- **Committee Action:** Do Pass by Committee Substitute

SCIENCE & TECHNOLOGY

State Chief Information Officer, Tom Wade, and Chief Technology Officer, Steve Nichols, of the Georgia Technology Authority presented an analysis of how VoIP works, how it can potentially save the state money, and what considerations need to be made in deploying the technology. This presentations provided an overview of the popular new telephone technology called Voice over Internet Protocol (VoIP).

WAYS & MEANS

HB0304 Changes the Amount of Regulatory Fees by Local Governments

- This bill defines the methods in which regulatory fees are determined by providing six different methods spanning from flat fees to hourly rates to International Code Council data. This bill further specifies that HVAC, electrical, or plumbing work for the comfort of the customer or to protect or maintain property can be done prior to getting the permit and paying the permit fee.

- **Authored By:** Rep. Sue Burmeister

- **Committee Action:** Do Pass by Committee Substitute

HB0834 Sales Tax Exemption for Swine

- This bill provides for a state sales tax exemption for sales of liquefied petroleum gas or other fuel used in a structure where swine are raised from July 1, 2006 until June 30, 2008.

- **Authored By:** Rep. Jay Roberts

- **Committee Action:** Do Pass by Committee Substitute

HB0893 Changes How Sales Tax is Levied for Educational Purposes

- This is a companion bill to HR 773 and allows for a county school district in which one or more independent school districts are located to levy a sales tax for educational purposes without the participation of all independent school districts located within the limits of the local taxing jurisdiction.

- **Authored By:** Rep. Jan Jones

- **Committee Action:** Do Pass by Committee Substitute

HB1030 Provides for an Additional Hotel Motel Tax Levy

- This bill provides for an additional hotel-motel tax levy at a rate of 5% for any county or city that has a convention center of at least 50,000 square feet that is owned by a development authority and leased to a charitable trust. Further restrictions require that the county or city have a private sector nonprofit organization which has entered into a contract with the county or city and the charitable trust on or before December 31, 2005 relating to the expenditure of the proceeds of the tax collected under this Code Section.

- **Authored By:** Rep. Vance Smith

- **Committee Action:** Do Pass by Committee Substitute

HB1120 Dealers' Sales and Use Returns

- This bill raises the threshold of estimated tax liability of a dealer for any taxable period from \$2500 to \$5000.

- **Authored By:** Rep. Martin Scott

- **Committee Action:** Do Pass by Committee Substitute

HB1121 Provides for a sales tax exemption for building materials for the National Infantry Museum and Heritage Park

- This bill provides for a sales tax exemption for all tangible personal property used in direction connection with the construction or improvement of the National Infantry Museum and Heritage Park at Fort Benning from July 1, 2006 until June 30, 2008.

- **Authored By:** Rep. Richard Smith

- **Committee Action:** Do Pass by Committee Substitute

HB1249 Provides for an ad valorem exemption for watercraft held in inventory for resale

- This bill provides for an ad valorem inventory tax exemption on watercraft held in inventory for resale. For a two year period, beginning on January 1, 2007 and ending on December 31, 2008.

- **Authored By:** Rep. Stacey Reece

- **Committee Action:** Do Pass by Committee Substitute

HB1300 Bonds; aggregate amount; raise

- This bill raises the maximum aggregate amount of revenue bonds issued by the public safety and judicial facilities authorities from \$50 million to \$80 million.

- **Authored By:** Rep. Michele Henson

- **Committee Action:** Do Pass by Committee Substitute

HB1301 Sales and use tax exemption; certain food and groceries; food bank; provide

- This bill provides for a sales tax exemption for the sale of eligible food and beverages to a qualified food bank from July 1, 2006-June 30, 2008. Such entity is defined as a food bank which has 501(c) (3) statue and that operates primarily for the purpose of providing hunger relief to low income persons residing in Georgia.

- **Authored By:** Rep. Chuck Martin

- **Committee Action:** Do Pass by Committee Substitute

HB1361 Redevelopment Power Laws; change certain definitions

- This bill makes several changes to the Redevelopment Powers Law. The term "ad valorem property taxes" are redefined so as to exclude those taxes levied on personal property or on motor vehicles and those levied on the assessed value of property owned by public utilities and railroad companies. The definition of redevelopment costs is also amended so that payments to a political subdivision or board of education shall not exceed the amount of contribution to the tax allocation increment in any year by such entity. The bill further states that the resolution of any political subdivision or board of education which agrees to the inclusion of property taxes in the tax increment computation shall not specify the inclusion of any property taxes unspecified in the enacting TAD resolution. All additional funds that are available after the redevelopment costs and TAD bonds have been paid are now to be distributed in proportion to the aggregate contribution of the taxes by the political subdivision minus the terms in the redevelopment costs. Lastly, the provision which required that the political subdivision or board of education that agreed to the inclusion of its property taxes as a basis for computing a tax increment base within a TAD could not decrease its millage rate on taxable property within the district below the millage rate levied on that property on the last date TADs were issued for redevelopment costs of that district was struck.

- **Authored By:** Rep. Chuck Martin

- **Committee Action:** Do Pass by Committee Substitute

HR0773 Changes How Sales Tax is Levied for Educational Purposes

- This resolution allows for a county school district in which one or more independent school districts are located to levy a sales tax for educational purposes without the participation of all independent school districts located within the limits of the

local taxing jurisdiction.

- **Authored By:** Rep. Jan Jones

- **Committee Action:** Do Pass by Committee Substitute

** Committee action reports are edited for this report. For full content, please contact the House Committee Services Office at 404-656-3206. Bills passing committees are reported to the Clerk's Office and are then placed on the General Calendar for Rules Consideration.*

COMMITTEE BROADCAST SCHEDULE

FRIDAY, MARCH 3, 2006

No Meetings are Scheduled at this time.

** To view the committee broadcast, please the Georgia Legislative Network's link at www.legis.ga.gov*

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